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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Greene, et al.

Serial No.: 08/425,766

Filing Date: April 19, 1995

Group Art Unit:

Examiner:

Title:

RECEIVED

NOV 21 1995

OFFICE OF COMMISSIONER  
OF PATENTS

METHOD AND APPARATUS FOR DISPOSING  
OF WASTE MATERIAL

47H

Special Program Law Office  
Office of the Deputy  
Assistant Commissioner of  
Patent Policy and Projects  
Crystal Park 1, Suite 520,  
Washington, D.C. 20231  
Attn: Magdalen Y.C. Greenlief

Dear Sir:

I hereby certify that this  
correspondence is being deposited  
with the United States Postal Service  
as first class mail in an envelope  
addressed to: Commissioner of Patents  
and Trademarks, Washington, D.C.  
20231, on

11/15/95

Judy Baggett  
Name

11/15/95

Date of Signature

**RESPONSE TO NOTICE TO  
DECISION REFUSING STATUS UNDER 37 CFR § 1.47(a)**

This is in response to the Decision Refusing Status Under  
37 CFR 1.47(a). Applicants submit herewith:

a) A copy of the Notice to DECISION REFUSING STATUS UNDER  
37 CFR 1.47(a); and

b) A copy of the May 17, 1995 letter from Daniel V. Thompson, Esq. referred to by Senior Legal Advisor Magdalen Y.C. Greenlief in her reason for denying status under 37 CFR § 1.47(a).

The submission of the item under (b) above should place the present application in condition for receiving status under 37 CFR § 1.47(a). The Patent Office is encouraged to contact Applicants' attorney at the number listed below if any additional information would be beneficial in deciding the pending request.

The Commissioner is hereby authorized to charge any fees or credit any over-payments to Deposit Account No. 02-0384 of Baker & Botts, L.L.P.

Respectfully submitted,  
BAKER & BOTTS, L.L.P.



Thomas A. Gigliotti  
Reg. No. 37,579

2001 Ross Avenue  
Dallas, Texas 75201  
(214) 953-6561



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER OF  
PATENTS AND TRADEMARKS  
Washington, D.C. 20231

DOCKETED

30P / MAILED

Baker & Botts, L.L.P.  
2001 Ross Avenue  
Dallas, TX 75201-2980

*Response Due:*  
*December 31, 1995*

OCT 31 1995

In re Application of  
Greene *et al*  
Application No.: 08/425,766  
Filed: April 19, 1995  
Attorney Docket No.: 017220.0115

OFFICE OF PETITIONS  
AND PATENTS

DECISION REFUSING STATUS  
UNDER 37 CFR 1.47(a)

This Reissue application was filed April 19, 1995, with a Declaration under 37 CFR 1.63 signed by joint inventor Greene. Papers filed June 19, 1995, in response to a "Notice To File Missing Parts ... Filing Date Granted" mailed May 17, 1995, included, *inter alia*,:

- (1) a petition under 37 CFR 1.47 with fee;
- (2) a declaration of facts of Thomas A. Gigliotti stating that he received a letter (of May 17, 1995) (purported to be attached) from the non-signing inventor's attorney, Mr. Daniel V. Thompson, refusing to execute the application papers for the present Reissue application; and
- (3) the surcharge.

The above application and papers have been reviewed but not found in compliance with 37 CFR 1.47(a) based on the following reason:

- (1) Rule 47 applicant failed to show or provide proof that the non-signing inventor refused to execute the application papers. Although the statement of Thomas A. Gigliotti asserts that a copy of a letter of refusal (of May 17, 1995) was attached thereto, no letter (of May 17, 1995) of refusal has been found to be included with the papers filed June 19, 1995.

Status under 37 CFR 1.47(a) is DISMISSED at this time. Rule 47 applicant is given TWO MONTHS from the mailing date of this application to respond, correcting the above-noted deficiency. Failure to respond will result in abandonment of the application. Any extensions of time will be governed by 37 CFR 1.136(a). Response should be directed to the Special Program Law Office, Office of the Deputy Assistant Commissioner for Patent Policy and Projects, Crystal Park 1, Suite 520, Washington, D.C. 20231.

*Magdalen Y.C. Greenlief*

Magdalen Y.C. Greenlief  
Senior Legal Advisor  
Special Program Law Office  
Office of the Deputy Assistant Commissioner  
for Patent Policy and Projects

jeb

Docket \_\_\_\_\_ Status \_\_\_\_\_  
Wrapper \_\_\_\_\_  
Reference(s) \_\_\_\_\_

Baker & Botts, L.L.P.

NOV 02 1995

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THOMPSON & HOWISON, L.L.P.

ATTORNEYS AT LAW  
PATENT AND TRADEMARK MATTERS

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DANIEL V. THOMPSON  
GREGORY M. HOWISON  
JOE H. SHALLENBURGER

Telephone (214) 479-0450  
Facsimile (214) 479-0215

May 17, 1995

Thomas A. Gigliotti, Esquire  
Baker & Botts, L.L.P.  
2001 Ross Avenue  
Dallas, TX 75201-2980

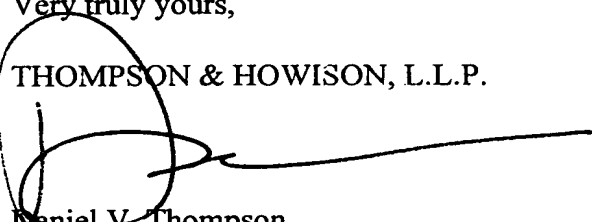
Re: Reissue Application - U.S. Patent No. 5,203,267  
Our File: A-15538 - Your Ref: 017220.0115

Dear Mr. Gigliotti:

I have reviewed the proposed reissue application Declaration with Mr. Greene, and he has declined to sign it.

Very truly yours,

THOMPSON & HOWISON, L.L.P.

  
Daniel V. Thompson

DVT/cgm